

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

VERNON NELSON,

Plaintiff,

3:20-cv-00436-MMD-CSD

v.

R. TRUESDELL, et al.,

Defendants.

ORDER

Re: ECF No. 47

Before the court is Plaintiff's Motion for Court Order Directing Defendants to File Certain Records with the Court. (ECF No. 47.)

The court recently ordered Defendant to allow Plaintiff to review the Inspector General's (IG) report, his relevant mental health records, as well as video footage related to his claims. (ECF No. 45.) In this motion, Plaintiff asserts that he is not allowed to possess these items, which are key pieces of evidence that Plaintiff intends to rely upon at the summary judgment stage. As such, Plaintiff asks the court to order Defendant to organize the IG report and mental health records into an appendix, identifying each as a separate exhibit; prepare a detailed index of each exhibit; file the appendix under seal with the court; forward a copy of the index to Plaintiff; and file the videos with the court so the court can view them during the summary judgment stage.

Plaintiff's motion (ECF No. 47) is **DENIED**. Exhibits are to be filed only as attachments in support of a motion, a response to a motion, or a reply in support of a motion. Exhibits that are not filed in support of a motion, response or reply may **not** be filed with the court. General

1 Order 2021-05(3)(3). Defendants are already under an obligation to preserve this evidence
2 for this case. If Plaintiff seeks to utilize portions of the evidence in connection with a motion
3 for summary judgment, Plaintiff can send a kite to review the evidence and follow NDOC
4 procedures regarding copying and attaching documents as exhibits to a motion for summary
5 judgment or related briefing. If Plaintiff wishes to reference the video evidence in connection
6 with a motion for summary judgment or related briefing, he can send a request to Deputy
7 Attorney General (DAG) Ginn (or the assigned DAG) to manually file a copy of the video
8 evidence with the court.
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10 **IT IS SO ORDERED.**

11 DATED: April 5, 2022.



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UNITED STATES MAGISTRATE JUDGE
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